

PES-0055

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Trent M. Molter, et al.)
SERIAL NO.: 09/909,846) Group Art Unit:
FILED: July 20, 2001) 1745
FOR: PROTON EXCHANGE MEMBRANE) Before the Examiner:
ELECTROCHEMICAL CELL SYSTEM) S. Kalafut
)

Via Facsimile (703) 872-9310
Commissioner for Patents
Alexandria, VA 22313

RESPONSE TO RESTRICTION REQUIREMENT
PURSUANT TO 35 U.S.C. §121

Sir:

This is in response to the Restriction Requirement dated June 2, 2003. The Examiner contends that the above-identified application comprises three patentably distinct species: Species I, Claims 1-6, 13, and 16-23, drawn to a compression member with two surfaces; Species II, Claims 7-11, drawn to a bus plate having a terminal portion; and Species III, Claims 24-33, drawn to a frame member. Claims 12, 14, and 16 have been deemed generic. Pursuant to 35 U.S.C. §121 the Examiner requires election of a single species for prosecution on the merits.

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Accordingly, pursuant to 35 U.S.C. §121, Applicants hereby elect the Species III, which corresponds to Claims 24-33. This election is being made without prejudice to Applicants' rights with respect to Claims 1-23, Species I and II, including the right to file divisional applications thereon. Applicants note that Claims 12-17 are generic.

If there are any charges with respect to this Restriction Requirement, or otherwise, please charge them to Deposit Account No. 05-1130.

Respectfully submitted,

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OFFICIAL**CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)**

Applicant(s): Trent M. Molter, et al.

Docket No.

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S. KalafutGroup Art Unit
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Invention: PROTON EXCHANGE MEMBRANE ELECTROCHEMICAL CELL SYSTEM

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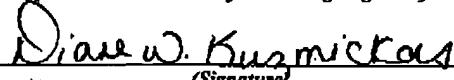
I hereby certify that this Response to Restriction Requirement (2 pgs.)

(Identify type of correspondence)

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